

**Notice of Allowability**

Application No.

10/502,027

Applicant(s)

NARITA ET AL.

Examiner

William T. Leader

Art Unit

1742

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-3.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 7/19/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

1. The references cited in the in the Information Disclosure Statement filed on July 19, 2004, have been considered. Additionally, the references listed in the International Search Report of corresponding application PCT/JP03/00355 have been considered. It is noted that all documents were designated as category "A" (documents defining the general state of the art which are not considered to be of particular relevance).
2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Tomaszewski patent (4,477,318) is directed to a process and electrolyte for electroplating a chromium deposit from a trivalent chromium electrolyte. The electrolyte may contain a reducing agent comprising a metal which may be rhenium. The Hafeli et al patent (6,077,413) is directed to the production of a radioactive stent. In one embodiment, a rhenium radioisotope is electroplated onto a metal surface in a layer that further comprises a carrier metal. Suitable carrier metals include cobalt, nickel, chromium, manganese, iron and gold (column 4, lines 1-23). In example 1, a radioactive layer was electroplated onto a wire from a bath containing 0.44M cobalt and 1 mM radioactive Re in the form of perrhenate. The Lowenheim text "Electroplating" provides background information on chromium electroplating, and discusses differences in plating from baths containing trivalent and hexavalent chromium ions (pages 230-233). Lowenheim also provides background information on alloy plating (pages 363-373).

### REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance: the prior art of record shows that it is known to form an electrodeposit from an electrolyte containing chromium and rhenium. However, the prior art does not suggest a process in which a bath with perrhenate ions in the concentration recited and chromium (VI) ions in the concentration recited along with the recited conditions of pH and temperature is utilized.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William T. Leader whose telephone number is 571-272-1245. The examiner can normally be reached on Mondays-Thursdays and alternate Fridays, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King, can be reached on 571-272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1742

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WL  
William Leader  
September 21, 2005

ROY KING *R*  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700